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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAVEYON CAMPBELL,	Case No. 2:19-cv-01374-GMN-EJY
Petitioner,	ORDER
v.	
WARDEN BRIAN WILLIAMS, et al.,	
Respondents.	

Petitioner Daveyon Campbell has submitted a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 and has now paid the filing fee (ECF Nos. 1-1, 4). He also responded to this court's show-cause order regarding whether the petition is timely (see ECF Nos. 5, 6). In light of Campbell's response, the court has reviewed the petition pursuant to Habeas Rule 4, and it shall be docketed and served on respondents.

A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. See 28 U.S.C. §2254(b) (successive petitions). If petitioner is aware of any claim not included in his petition, he should notify the court of that as soon as possible, perhaps by means of a motion to amend his petition to add the claim.

1 Petitioner has also submitted a motion for appointment of counsel (ECF No. 1-2).
2 There is no constitutional right to appointed counsel for a federal habeas corpus
3 proceeding. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *Bonin v. Vasquez*, 999
4 F.2d 425, 428 (9th Cir.1993). The decision to appoint counsel is generally
5 discretionary. *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir.1986), cert. denied, 481
6 U.S. 1023 (1987); *Bashor v. Risley*, 730 F.2d 1228, 1234 (9th Cir.), cert. denied, 469
7 U.S. 838 (1984). However, counsel must be appointed if the complexities of the case
8 are such that denial of counsel would amount to a denial of due process, and where the
9 petitioner is a person of such limited education as to be incapable of fairly presenting his
10 claims. See *Chaney*, 801 F.2d at 1196; see also *Hawkins v. Bennett*, 423 F.2d 948 (8th
11 Cir.1970). Here, it appears that Campbell is serving a 30-60-year term and that his
12 mental health at the time he entered into the guilty plea agreement may be at issue.
13 Therefore, to ensure due process, Campbell's motion for counsel is granted.
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15 **IT IS THEREFORE ORDERED** that the Clerk **shall file and ELECTRONICALLY**
16 **SERVE** the petition (ECF No. 1-1) on the respondents.
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18 **IT IS FURTHER ORDERED** that the Clerk shall add Aaron D. Ford, Nevada
19 Attorney General, as counsel for respondents.
20

21 **IT IS FURTHER ORDERED** that the Clerk shall detach and file petitioner's
22 motion for appointment of counsel (ECF No. 1-2)


23 **IT IS FURTHER ORDERED** that the motion for appointment of counsel is
24 **GRANTED.**

25 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of
26 Nevada (FPD) is appointed to represent petitioner.
27
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1 **IT IS FURTHER ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the
2 FPD a copy of this order, together with a copy of the petition for writ of habeas corpus
3 (ECF No. 1-1). The FPD shall have 30 days from the date of entry of this order to file a
4 notice of appearance or to indicate to the court its inability to represent petitioner in
5 these proceedings.
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7 **IT IS FURTHER ORDERED** that after counsel has appeared for petitioner in this
8 case, the court will issue a scheduling order, which will, among other things, set a
9 deadline for the filing of an amended petition.
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12 DATED: 9 January 2020.

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16 GLORIA M. NAVARRO
17 UNITED STATES DISTRICT JUDGE
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